

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Mailed: May 22, 2003

Concurrent Use No. 2,033

Steven M. Link, dba Dr. Roof

v.

Dr. Roof, Inc.

Stephen L. Baker
Baker & Friedman
PO Box 672
359 East Main Street
Somerville, NJ 08876

To: Steven M. Link, dba Dr. Roof

Re: Serial No.: 74/637,996
Filed: February 22, 1995

A concurrent use proceeding involving your above-identified application is hereby instituted under the provisions of Section 2(d) of the Trademark Act of 1946. The proceeding will be conducted in accordance with the Rules of Practice in Trademark Cases, as set out in Title 37 of the Code of Federal Regulations.

Dr. Roof, Inc., the registrant referred to in your application, is being notified on this date of the institution of the concurrent use proceeding and is being supplied with a copy of your application, in accordance with the provisions of Rule 2.99. As the owner of a registration (no. 1,578,137), Dr. Roof, Inc. is not required to file an answer but may do so under Rule 2.99. The Trademark Trial and Appeal Board has set **40 days** from the mailing date hereof as the due date for any such answer.

You are requested to advise the Board of any relevant applications or registrations, other than those already referenced herein, which should be included in this concurrent use proceeding. Your response, if any, should be in writing and must be filed on or before **40 days** from the mailing date hereof.

**DISCOVERY AND TESTIMONY PERIODS ARE SET AS
INDICATED BELOW.**

IN EACH INSTANCE, a copy of the transcript of testimony together with copies of documentary exhibits, must be served on the adverse party WITHIN THIRTY DAYS after completion of the taking of testimony. Rule 2.125.

Discovery to open:	June 11, 2003
Discovery to close:	December 8, 2003
Testimony period for party in position of plaintiff to close: (opening thirty days prior thereto)	March 7, 2004
Testimony period for party in position of defendant to close: (opening thirty days prior thereto)	May 6, 2004
Rebuttal testimony period to close: (opening fifteen days prior thereto)	June 20, 2004

Briefs shall be filed in accordance with Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Rule 2.129.

Karl Kochersperger, Paralegal

CC:

GARY K. PRICE
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